

MINUTES OF REGULAR MEETING
OF
SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

STATE OF TEXAS §
 §
COUNTY OF HAYS §

A regular meeting of the Board of Directors of South Buda Water Control and Improvement District No. 1, open to the public, was held at 12:00 p.m. on October 20, 2021 at 8834 Capital of Texas Highway, Suite 140, Austin, Texas 78759, pursuant to notice duly given in accordance with law.

1. CALL TO ORDER

The meeting was called to order.

2. ROLL CALL OF DIRECTORS

A roll call of the Directors was taken. The Directors present were:

Marvin Morgan - President
Sean Denton – Vice President
Dante Angelini – Secretary
Jeff Barton – Assistant Secretary
John Fowler – Assistant Secretary

thus constituting a quorum. Vice President Sean Denton and Secretary Dante Angelini were absent.

Also, present at the meeting were Matt McPhail and Jeniffer Concienne with Willatt & Flickinger, PLLC, David Gray, Herb Edmonson and Tony Host with Gray Engineering, Inc., David Berrier with Berrier & Company, P.C., Lisa Torres with Crossroads Utility Services, LLC, and Dan Wegmiller with Specialized Public Finance Inc.

3. PUBLIC COMMENTS

No public comments were made.

4. MINUTES OF PRIOR MEETINGS

President Marvin Morgan entertained a motion for approval of the Minutes. Motion was made by John Fowler and seconded by Jeff Barton to approve the September 15, 2021 meeting Minutes as presented. The motion carried unanimously.

5. DEVELOPER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICE WITHIN THE DISTRICT, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT, STATUS OF DEVELOPMENT LOANS AND ACTIONS OF THIRD PARTIES OPPOSING OR SUPPORTING DEVELOPMENT WITHIN THE DISTRICT
 - a. Status of Robert S. Light Boulevard culvert clean up

Engineer David Gray discussed the developer's report in regard to the RSL Boulevard culvert clean up in Grant Gist's absence. Correspondence is being had between TxDOT and the City of Buda.

Mr. Gray reported on the status LOMR Application to change the flood plain with FEMA. This is a 6-month process. They are responding to FEMA comments at this time.

The medical center dropped out of the contract advising that building costs are too high. Mr. Gray discussed the possibility of a tennis facility on the 5-acre tract inside the District.

Gehan Homes is still selling its townhome units.

6. BOOKKEEPER'S REPORT ON THE FINANCIAL AFFAIRS OF THE DISTRICT, INCLUDING AUTHORIZATION OF PAYMENT OF INVOICES AND TRANSFER OF FUNDS
 - a. Quarterly Investment Report

Bookkeeper David Berrier discussed the financials with the Board. After discussion of the financials, President Morgan entertained a motion. Motion was made by Jeff Barton and seconded by John Fowler to approve the financials. The motion carried unanimously. Motion was then made by John Fowler and seconded by Jeff Barton to approve payment of the invoices and per diems as presented. The motion carried unanimously. Lastly, motion was made by Jeff Barton and seconded by John Fowler to approve the Quarterly Investment Report as presented. The motion carried unanimously.

7. RESOLUTION CONFIRMING ANNUAL REVIEW OF WRITTEN PROCEDURES FOR POST BOND ISSUANCE; FEDERAL TAX COMPLIANCE

Attorney Matt McPhail reported on the annual review of the written procedures for post bond issuance. After discussion, motion was made by Jeff Barton and seconded by John Fowler to adopt the Resolution Confirming Annual Review of Written Procedures for Post Bond Issuance; Federal Tax Compliance as presented. The motion carried unanimously.

8. ENGINEER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICES WITHIN THE DISTRICT, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT AND PAST, PRESENT AND FUTURE BOND ISSUES

- a. Landscape Maintenance Agreement with ECOSystems Landscape Services

Engineer David Gray discussed the engineer's report as included in the agenda package.

Mr. Gray reported that construction at the QT Travel Center has commenced. They will monitor the construction relating to tying into any District utilities at the site.

As reported previously, the construction of the wastewater facilities has started at the Marlstone Retail Center in Stonefield.

Mr. Gray discussed the need to focus on landscaping maintenance throughout the District, especially the ponds.

In regard to the critical load coordination, a letter was sent to the Public Utility Commission indicating that there is no water or wastewater facilities within the District that qualify for critical load status. The letter also provided information on an emergency contact for the District.

9. ALL ACTIONS AND DOCUMENTS NECESSARY OR CONVENIENT, OR BOTH, FOR THE DISTRICT'S 10TH BOND ISSUE

In connection with the unlimited tax bond issue, Gray Engineering is still waiting on comments from the TCEQ. Mr. Gray expects the funding to occur in early 2022. This is most likely the District's last bond issue.

10. REFUNDING BOND SUMMARY

Financial Advisor Dan Wegmiller advised that the refunding issue for the 2014 bond series will close next week. Back in 2014, the interest rate was 3.5-4.0% and the refunding issue came in at 2.56%. This will provide a net saving for the District in the amount of \$201,000 over the life of the bonds.

11. REQUESTS FOR "PASS-THRU" WASTEWATER SERVICE FROM OUT-OF-DISTRICT CUSTOMERS

This item was not discussed.

12. APPROVAL OF CONSTRUCTION PLANS AND PAY ESTIMATES, CHANGE ORDERS AND ACCEPTANCES OF COMPLETION WITH RESPECT TO CONSTRUCTION CONTRACTS

This item was not discussed.

13. ADVERTISEMENT FOR BIDS AND APPROVAL, AWARD, RECOMMENDATION AND ADMINISTRATION OF CONSTRUCTION CONTRACTS

This item was not discussed.

14. MANAGER'S REPORT ON WATER AND WASTEWATER SERVICE WITHIN THE DISTRICT, INCLUDING NUMBER OF CONNECTIONS, DELINQUENT ACCOUNTS AND MATTERS PERTAINING TO THE AGREEMENT FOR WATER SERVICE WITH MONARCH UTILITIES I, L.P. AND THE AGREEMENT FOR WASTEWATER SERVICE IN THE CONSENT AND DEVELOPMENT AGREEMENT WITH THE CITY OF BUDA; DISTRICT'S BILLING CYCLE AND EXCHANGE OF METER READINGS WITH MONARCH; SYSTEM MAINTENANCE REPAIRS, UPGRADES TO FACILITIES, MAINTENANCE OF PONDS AND RELATED PROPOSALS

- a. Merchant Application
- b. Leak Detection


Manager Lisa Torres discussed the Manager's Report with the Board.

Once again, the Board discussed the water loss within the District, which was 38.61%. Ms. Torres advised that one small valve leak was found but nothing significant. Ms. Torres has reached out to James Schiele for a leak detection proposal. There was discussion of installing strap on meters to the main lines. Engineer David Gray will locate those lines.

Attorney Matt McPhail discussed the TDS contract that will be expiring on November 1st. A special board meeting will be scheduled to consider the contract renewal.


15. ADJOURN

President Marvin Morgan adjourned the meeting.



Marvin B. Morgan, President
South Buda WCID No. 1

ATTEST:



Dante Angelini, Secretary
South Buda WCID No. 1

[SEAL]
I:\SouthBuda\minutes\10-20-21
11/9/21